IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.
NOTICE OF MOTION NO.3467 OF 2005
IN
APPEAL (L) NO.1231 OF 2005
IN
NOTICE OF MOTION NO.1285 OF 2002
IN
SUIT NO.1503 OF 2002

Jagdish Jayanand Vyas & ors. .. Appellants

v/s.

M.M.Corporation & anr. .. Respondents

Mr.S.Nagredra i/by M/s.Mehta & Co. for the appellants.

Mr.Z.A.Jariwala i/by M/s.Thakore Jariwala & Associates for the respondent No.1.

CORAM : R.M.LODHA AND
ANOOP V. MOHTA, JJ.

DATED : 9th January, 2006

P.C.

Heard Mr.S.Nagredra, the learned counsel for the appellants and Mr.Z.A.Jariwala, the learned counsel for the respondent No.1. Nobody appears for the respondent No.2 despite service.

2. We are satisfied that the appellants were prevented by sufficient cause in filing the appeal in time. The delay in filing the appeal is not intentional. We, accordingly, condone the delay.

3. Office is directed to process the appeal and post it for admission as soon as numbered.

4. Notice of motion stands disposed of.

(R.M. LODHA, J.)

(ANOOP V. MOHTA, J.)